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ABSTRACT

This paper examines the Exchange Visitor Program in which students, scholars, and other professionals have spent varying amounts of time studying or practicing in the United States. The discussion looks at the program's historical background, the exchange visitor classifications (private or governmentally sponsored), the categories and conditions under which individuals could be accepted for exchange visitor sponsorship, the 2-year home residence requirement, and the grounds on which waivers are granted. Next, legislative changes and new developments in exchange visitor requirements and regulations that occurred since the program's inception 40 years ago are reviewed, as well as the evolution of the program. New trends in U.S. educational programs, such as internships or work-study programs, and why these changes are equally appealing to foreign nationals are discussed. Next, the administrative position of responsible officer is examined, followed by an exploration of the change in focus of faculty/research scholar exchanges and how this has benefitted foreign nationals over the years. Finally, what the considerations/expectations of exchange visitor participants should be in the 1980's are discussed, followed by an historical look at the administration of the exchange program. A summary and conclusions are presented. Contains an appendix specifically addressing the issue of foreign medical graduates. (GLR)

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BACKGROUND AND HISTORY

OF THE

EXCHANGE VISITOR PROGRAM

FROM THE

PERSPECTIVE OF EDUCATIONAL INSTITUTIONS

OF HIGHER LEARNING

by Jennifer Stephens

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Submitted to the

Government Regulations
Advisory Committee of the
National Association for Foreign
Student Affairs

September 1988

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THE EXCHANGE VISITOR PROGRAM

BACKGROUND AND HISTORY

In 1948 the "Fulbright" program was first introduced. Named after Senator J. William Fulbright, whose idea it was and who proposed the legislation, it was established to provide education and training in the United States for individuals from countries affected by the second world war. Monies owed to the United States by participating countries were to be repaid in part by funding their nationals for study in the U.S. through this program. The program aimed to strengthen ties with the U.S., and to provide much needed education and training to nationals from the war-torn countries of Europe.

At the time of its creation in 1948, those receiving Fulbright grants were identified for visa purposes by an Ex symbol added to the 4e status given to foreign students. In 1956 Public Law 84-555 established the two-year foreign residence requirement for all those with Fulbright travel grants, in order to ensure that the recipients of these grants returned to their country of foreign residence to assist in post-war development.

In 1961 the Mutual Educational and Cultural Exchange Act, (Public Law 87-256) sponsored by Senators Fulbright and Hays, was enacted. It created the J exchange visitor visa for the purpose of fostering mutual educational and cultural exchanges. To accent the foreign policy aspects of this newly created visa, it was placed for administrative and regulatory purposes under the bureau of educational and cultural affairs of the Department of State, rather than under the more law-enforcement minded Immigration & Naturalization Service (INS) of the Department of Justice. INS, however, continued to have control over admission and departure requirements as they do for all visa categories, and for all foreign nationals within the borders of the United States.

Programs

Two classifications were established for program designation. They were the "G" classification for government sponsored exchange visitor programs, and the "P" classification for exchanges sponsored by the private sector. Within these classifications there were different categories, i.e., "P-I" programs for educational institutions; "P-II" programs for hospital sponsorship; "P-III" programs for private foundations providing financial support for foreign students to attend U.S. educational institutions; and "P-IV" programs for business and industrial concerns. This paper is written from the perspective of the "P-I" programs for educational institutions of higher learning.

In order to become an exchange visitor sponsor it was necessary to make an application to the bureau of educational and cultural affairs of the Department of State requesting an exchange visitor program. If the Department of State believed the applying educational institution qualified as a sponsor, an agreement was worked out indicating the kind of educational and cultural programs which could be sponsored, the types of individuals who would qualify for sponsorship (students, research scholars, teachers, etc.), and the conditions under which they could be sponsored in the general interests of international educational exchange. This was called the "program description" and every exchange visitor sponsor had an individually tailored program description which was their agreement with the Department of State to participate as a sponsor.

Categories and Conditions

Seven different categories were established under which individuals could be accepted for exchange visitor sponsorship. Each category carried a time limitation on a maximum period of stay in the United States. These categories were as follows:-

Students	-	The length of the period necessary to complete an educational program plus a maximum of 18 months practical training.
Research Scholars	-	3 years
Teachers and Instructors	-	2 years
Doctors of Medicine (for internships and residencies)	-	5 years
Graduate Nurses	-	2 years
Business and Industrial Trainees	-	18 months
Medical Technologists, Record Librarians and Technicians	-	3 years

An exchange visitor was not permitted to change the objective for which he/she had originally entered the United States and a change between categories was similarly restricted. Only occasionally, when special or extenuating circumstances existed, was an exception made.

In addition to the time limitations, there were limitations on employment opportunities, both on and off campus. A responsible officer (RO) of the exchange visitor program under which the foreign national was sponsored, however, had authority to grant employment permission to an exchange visitor for practical training or for on- and off-campus employment when certain other conditions existed which warranted employment approval. This was an unusual and enlightened provision which accented the foreign policy aspects of the exchange program.

Another unusual condition built into this visa category was the provision for the exchange visitor spouse and/or dependent children under 21 to be granted employment authorization by the INS for the support of the spouse and/or children only. This condition was also to enable them to take advantage of cultural and educational opportunities while in the U.S. A strong reason behind the provision was the lack of funding available for family support. Most U.S. government grants were sufficient for the travel and support of the exchange visitor participant alone.

Two-year Home Residence Requirement

The success of the exchange visitor program depended on participants returning to their home countries on completion of their education and/or training in the United States, hence the strict time limitations and the required minimum aggregate of two years overseas residence. A third country could be substituted for the country of citizenship under the two-year residence abroad rule, provided that the third country was at the same level of development or less developed than the country from which the foreign national came--Canada, for instance, was never likely to receive approval as a substitute.

The two-year home-country physical presence requirement was applied by statute to all who used this visa type, but a Fulbright grant was not a prerequisite for obtaining a J visa. Other U.S. government agencies funded foreign students for specialized training and research programs, philanthropic organizations, such as the Ford and Rockefeller Foundations, provided scholarships and fellowships for study in the United States and colleges and universities wishing to sponsor foreign students and scholars quickly acquired exchange visitor programs.

Waivers

Two grounds were established under which a waiver of the two-year foreign residence requirement could be considered, and these were:-

1) On the grounds of hardship to a U.S. citizen or permanent resident spouse or child; and

2) On the grounds of an "interested U.S. government agency" (in conjunction and with support from the employer or exchange visitor sponsor), when the research undertaken was of national or international importance, and the exchange visitor was a key member of the research team whose departure would endanger or delay the research project in which the government agency was interested.

LEGISLATIVE CHANGES

As a result of increasing demand for waivers of the two-year residence requirement under the two waiver provisions, and the number of private bills introduced in the House and the Senate requesting special exceptions for individual exchange visitors allowing them to remain in the United States because of perceived extenuating circumstances, legislation was enacted in 1970 (P.L. 91-225) which removed the two-year residence requirement for all those in exchange visitor status who did not receive U.S. government funds or funds from the government of their country of nationality or last permanent residence.

A new provision was introduced to give countries wishing their nationals to return because of skills needed in the home country, an opportunity to retain the services of their countrymen. This provision became known as the "country skills list." Two years later, in April 1972, the long-awaited list was published. It became effective 30 days later on May 25, 1972. The countries which had chosen to list skills considered to be in short supply at home were, for the most part, those from the less developed areas of the world.

Also included in Public Law 91-225 was a change in the home-country physical presence requirement. No longer could a third country be substituted for the home country. From 1970 onwards the two-year residence abroad requirement was limited to the country of nationality or last permanent residence.

One of the most important features of the 1970 legislation was creation of two new waiver provisions: one on the grounds of persecution based on race, religion or political belief; the other based on what has become popularly known as the no objection statement. A foreign government, not wishing to hold a national or permanent resident of the country to returning home for an aggregate of two years, even though partially or fully funded by that government or subject to the country skills list, could issue a statement indicating they had no objection if the exchange visitor remained in the United States.

These adjustments to the rigid two-year home country physical presence requirement reduced the number of waiver applications and alleviated a lot of the hardship imposed in earlier years. Previously existing waiver provisions made little allowance for an unanticipated change in circumstance to an individual exchange visitor, and noone was exempt from the two-year home residence requirement.

Public Law 94-484

In 1976 the Health Professions Educational Assistance Bill was enacted (PL 94-484). This bill, mainly directed toward capitation allowances for medical schools, contained a small provision affecting foreign medical graduates. It had been determined by the Congress that there was no longer a shortage of medical doctors in the United States, and the flow of perceived unqualified foreign doctors should be curbed. Accordingly, this legislation defined the term "foreign medical graduate" to mean a foreign doctor who had received his or her medical degree from a foreign medical school but who was not considered to be of "national or international renown," and who was coming to the United States for "graduate medical education or training." Special conditions were set for those coming to the United States for graduate medical education and training in the future, and the waiver provision based on the home country having no objection to the foreign national remaining in the U.S. was eliminated for medical doctors (see appendix A).

EVOLUTION OF THE PROGRAM

Increase in Program Size

Since the inception of the Fulbright program forty years ago a great many changes have taken place. While the Fulbright program remains the core of the exchange visitor program and still accounts for a great many of the exchange participants each year, it represents a small percentage of the exchanges now taking place. The exchange visitor program has truly become a fully fledged exchange both for sponsored and non-sponsored students and scholars, and for those who are subject to the two-year residence abroad requirement and those who are not. Exchange visitor visas can now be issued in all countries with which the United States has diplomatic relations, rather than just the specified countries participating in the original Fulbright program.

Foreign students and scholars are coming here to study, train, teach, observe, and undertake research in ever increasing numbers. Many more colleges and universities, including junior and community colleges, are enrolling foreign students. University research programs have developed and expanded in the sciences and the medical sciences to keep up with the need for sophisticated technology in the 80's and 90's with foreign nationals contributing to this expansion. As a result, the number of schools with authorized exchange visitor programs has also proliferated.

New Developments

In the 1950's and 1960's most foreign students came for basic educational programs, or to acquire skills and techniques specifically needed in the home country. The undergraduate degree was as much as the majority of students aspired to in the earlier years, and a period allowed for practical work experience following completion of the educational objective enabled students to practice some of the skills and techniques learned in the classroom, thus, giving them an opportunity they never otherwise would have experienced.

Today, while many thousands of students are coming to the United States for an undergraduate education or for technical training programs, some less developed countries are preferring to educate their students at home through the undergraduate level and send students overseas for more specialized programs at the Master's or Doctoral level. Resources and facilities in the home country have been developed and improved to expand educational opportunities at home, while financial resources for overseas spending are more judiciously committed.

Therefore, a shift is taking place in some countries from the notion of sending great numbers of their college-age students to be educated in the United States or elsewhere overseas, to nominating fewer but more highly selected individuals who have already started on their career path. These individuals are expected to participate in specialized programs or to study for advanced degrees at the Master's or Doctoral level. Others come as scholars for post-doctoral training in their particular field of endeavor in hospitals, universities, and other research institutions.

Exchange visitor programs are also now accommodating non-degree students who are enrolled in overseas degree programs and who are funded to do thesis research at a U.S. institution, or to take courses for which they will receive credit at the home university. Sometimes students will be awarded prestigious grants and will enter U.S. institutions for one or two years serious study in their field of interest; others will come in order to study under a particular specialist in their field, or to use the library resources at a particular institution, or simply to round out their education in their general area of expertise.

Scholars

Few foreign scholars were involved in exchanges in the early years, but now post-doctoral scholars and researchers coming to join institutional research and development teams are a major component of the exchange visitor program.

The two-year limitation for teachers was extended to three years to bring it in line with the time limit for researchers. And, responding to reality a few years ago, the exchange visitor program recognized that teaching and research are interchangeable at the university level and no longer consider this a "change of objective" within the maximum three-year period.

New trends continue to develop and while foreign students and scholars are still being sponsored for traditional programs they are also being sponsored for different, challenging, non-traditional but equally rewarding educational and research opportunities.

Funding

Changing priorities have reduced the level of U.S. government funding spent on educating foreign students in the United States, and substantial funds from U.S.-based philanthropic organizations have been re-directed toward domestic concerns. To offset these decreased funding levels, more funding is coming from foreign governments, from overseas independent funding sources, and from U.S. educational institutions.

The impact of the OPEC countries was felt by the exchange visitor program as excess oil monies were used to set up educational exchanges in the United States by many of these countries.

Growth

Not only have the number of individual exchange visitor programs grown and the numbers of students and scholars increased, but the types of programs have also expanded. Businesses sponsor trainees. There are practical training programs, teenage programs, summer exchange programs, "au pair" programs, and Disneyworld has an exchange visitor program! International educational exchange exists at all levels, and many thousands of foreign nationals have benefitted from some educational or cultural experience in the United States.

Flexibility

The exchange visitor J visa is the most flexible of all the existing nonimmigrant visas. It has the capability to expand and adapt to accommodate any type of educational or cultural opportunities imaginable, or a combination thereof, provided the exchange visitor sponsor has the necessary ingredients to qualify for an exchange visitor program, with an approved program description by which the sponsor must abide.

The success and expansion of the exchange visitor program is due in great part to this flexibility, and to the ameliorative legislation in 1970 which substantially reduced the rigidity of the return home requirement for those not governmentally funded. The program has shown that educational exchange is not the prerogative of institutions of higher education alone, or of government, but that it can recognize the many facets of beneficial interchanges through a broadly

interpreted policy of educational/cultural international exchanges in an increasingly interdependent world.

NEW TRENDS IN EDUCATIONAL PROGRAMS

Over the years, U.S. educational programs have changed substantially reflecting and responding to domestic needs. More students than ever before have been enrolling in institutions of higher education; programs have had to be developed to meet the needs of an increasingly high tech society; employment trends requiring higher level qualifications of job applicants for both professional and non-professional positions have placed additional responsibilities on educational institutions; and a growing demand for mid-career training opportunities, special education programs, and adult continuing education programs has had to be met.

Another gradual and more recent trend which is developing in higher education is the practical "hands-on" experience as a built in part of a degree program. Called "internship", "cooperative education", "work-study" or "practicum" these work experiences are sometimes degree requirements or degree options. Sometimes they take place concurrently with course work, are part-time, or full-time, and sometimes the requirement can be fulfilled by an internship on the campus but most usually it is off the campus. Sometimes they are paid (for which an exchange visitor would need special authorization) and sometimes they are unpaid, but this type of format is becoming an accepted degree requirement for many educational programs.

In many cases, academic programs can be tailored to meet the needs of an individual. A combination of study and research can be arranged, or independent study and library use in combination with a teaching assignment, for example. These types of programs are becoming more in demand from foreign nationals having very specific goals in mind. The exchange visitor visa can accommodate this type of educational experience, as college and university program descriptions almost always include the phrase "or a combination thereof", thus allowing for individuals holding advanced degrees to pursue opportunities especially suited to their interests and their needs.

As mentioned earlier, sponsored foreign students coming to the United States at the end of the second world war and for a couple of decades afterwards typically entered special technical training programs or Bachelor's degree programs. Some applied to come for Master's programs and even fewer applied for degree programs at the doctoral level. Now the needs of foreign students, foreign scholars and the sending countries are different. They need to be equipped with tools to meet the challenges and demands of today's world, with nutritional, environmental, atmospheric, population and disease control problems providing concerns of gigantic proportions on a global scale.

Changes in the architecture of U.S. educational programs therefore, have been equally appealing to foreign nationals. They provide for more practical experience, more applied study, and more opportunity for following an individual program addressing the academic, educational and professional needs of an individual in a particular area of specialization.

THE RESPONSIBLE OFFICER

The responsible officer, and to a lesser degree the alternate responsible officer, of a P-I educational program is in a unique position compared to responsible officers of other types of programs. At most colleges and universities the responsible officer is also a director of international programs, and/or a foreign student adviser and/or a foreign scholar adviser. Their responsibilities run far beyond the administration of the J exchange visitor program.

These people are normally responsible for all foreign nationals on their campus. As foreign student advisers they have responsibility to the student to give him/her the best advice and support available during their stay at the institution; as an employee of the institution they have responsibility for the goals of the institution; and as a responsible officer and/or designated school official they have responsibility for translating regulatory obligations imposed by the U.S. government to members of the institution who deal with foreign nationals, and also to the foreign nationals themselves. Additionally, these same R.O.'s may be dealing with U.S. students going to study abroad, they may be administering grant programs to foreign students for the U.S. government or for foreign governments, and they may also be responding to foreign governments who impose their own requirements for the nationals enrolled in U.S. institutions.

As will be seen from the above, the average responsible officer is juggling many balls at the same time and is placed in the position of making endless discretionary decisions, and of using shrewd judgement in determining a course of action based on all the factors involved in a situation, and not just the concerns of one constituency. They are dealing with F-1 students, J-1 students, J-1 scholars, H-1 temporary workers (researchers and faculty), and, frequently, they may also be involved with immigrant visa applications for foreign scholars and faculty employed by their institution on a more permanent basis.

R.O.'s advise admissions officers on the appropriate selection of visas for incoming foreign students and advise medical or health departments on health insurance for foreign nationals. They are involved in recommendations for financial aid or employment and in a host of other areas pertaining to the impact of foreign nationals on campus. These are the people who set policy at their institutions concerning foreign nationals, or who recommend policy to higher authority.

Most responsible officers have been in the field for a minimum of five years (and usually a great deal longer). They are extraordinarily knowledgeable, they are dedicated, conscientious and committed to international educational exchange and handle their responsibilities with a high degree or integrity. Unlike their counterparts in other exchange visitor program categories, they deal on a daily basis with their students and scholars, with the U.S. immigration service, and with faculty and administrators on their campus. Also, they frequently act as "adviser on the spot" for programs administered by such organizations as the Institute for International Education, the Agency for International Development, the Council on the International Exchange of Scholars, and a host of others.

The success of the exchange visitor program, in the area of foreign student and scholar exchanges at educational institutions of higher learning, is due in no small part to the responsible officers located on every college and university campus, and the role they play.

CHANGE IN FOCUS OF FACULTY/RESEARCH SCHOLAR EXCHANGES

Faculty/research scholar exchanges were first started to provide an opportunity for foreign nationals to come to the United States for much needed research experience, training and observation in their areas of specialization. A slightly patronizing, although perhaps justified, attitude existed in those early years of the exchange program. In no other country in the world were there such opportunities as in the United States. Foreign nationals were privileged to come here and observe or work in research labs beside highly trained U.S. scientists, and they were expected to appreciate their luck in being selected for such an experience. They would benefit from the use of well-equipped laboratories and from seeing at first-hand the most up-to-date, sophisticated techniques being applied at the cutting edge of scientific development in many disciplines.

U.S. educational and research institutions gladly provided space in labs or departments to visiting foreign nationals. They were generous in their efforts to host these visitors and to provide every opportunity for them to be involved in on-going projects. In many cases, the foreign national may have received a salary from the host institution to provide for his/her support, because no other monies were available. Government research grants were easily available to U.S. universities at that time, and funding was often generously spread around within the academic departments receiving the grants.

Hundreds of foreign nationals benefitted from a few years exposure to advanced research being undertaken in their field at U.S. institutions. Their return home and the contributions they have made in their countries following this experience has led to considerable advancement in medical care, in health care systems, in agriculture, and in building better and expanded educational systems.

A few decades later the numbers of foreign faculty and researchers coming to this country have grown, but there has been a shift in the nature of many of these exchanges. There is more inter-country collaboration on research projects and more sharing of information. Scientific exchanges have become more of a two-way street in that research being undertaken overseas has become of much more interest to U.S. educators and researchers. Foreign nationals are invited to join U.S. research teams to contribute knowledge they have already acquired at their own institutions.

The United States is no longer the only country in the lead in scientific and technological developments. Foreign nationals are welcomed to institutions in this country for what they can bring to research projects, to share the results of experiments which have been conducted in their own country, and to impart techniques they themselves have developed or successfully used. Much more of a partnership and spirit of cooperation exists now when a foreign national joins an academic department or a laboratory research team at a U.S. institution than in the earlier days when most foreign researchers came to the United States only to learn rather than to contribute.

CONSIDERATIONS/EXPECTATIONS OF EXCHANGE VISITOR PARTICIPANTS IN THE 1980's

When a foreign national is planning to come to the U.S. to study, to teach or to undertake research, a great many factors are taken into consideration. First, of course, is the desire to carry out an objective or to achieve a goal, but beyond that many other considerations come into play. These must be addressed by responsible officers and others at the institution when raised by the foreign national prior to his/her departure from their own country.

In earlier years, most of the concerns which arise today were not addressed by either the foreign national or the insitution to which the foreign national was coming. The foreign national was convinced that U.S. streets were paved with gold and that God, or someone, would provide. The women's movement had not begun, and wives (as they were then called) knew their place and stayed in the home - if they came to the United States at all, and many did not. Both students and scholars were prepared to make sacrifices for an opportunity to study or undertake research in the United States, and, as a result, bore a great deal of additional stress due to family separation and financial hardship.

Foreign students today are considered an economic asset and foreign scholars are, in many cases, bringing highly developed skills and new techniques to U.S. research institutions. The cost of living and the housing crunch in some areas is of prime concern to incoming foreign nationals who are already paying high tuition costs, or expecting to live on overseas salaries or even on modest U.S. research stipends. More negotiation takes place before they decide to leave home than in the past, they are not prepared to make the sacrifices made in the 1950's and 1960's and, accordingly, concessions must be made by U.S. institutions wishing to attract foreign nationals to their campuses.

A foreign national will want to know how much his/her salary will be, or, if it is from an overseas source, what its purchasing power will be. Will this be adequate to support the foreign national and his/her family, if any, in the area in which the institution is located? What will be his/her tax obligations to the U.S. government and what tax treaties, if any, exist between the United States and the foreign national's country? Will the foreign national's spouse be able to work? This question may be based on the need of the spouse to work to supplement the family's income, or it may be because the spouse is himself/herself a professional and wishes to make the most of an opportunity while in the United States. It may be that the spouse is not used to staying at home all day without any particular occupation, and may not wish to come to the United States under these circumstances.

Another area of concern is housing. What kind of housing is available? What will be involved in the search process and how much rent will be expected on a monthly/annual basis? Schooling and day care are also high priorities when a foreign national is planning to be accompanied by his/her children. Then there is health care, and the high cost of medical care and treatment in the United States, with health insurance premiums taking a sizeable slice of the family income while in many countries health care is free or available at very low cost.

All of the above factors must be weighed and taken into consideration by the foreign student/scholar adviser (who is almost certainly also the responsible officer), who must also consider any existing institutional policies or practices, before a decision concerning visa selection is made. It is no longer possible to dictate a visa type solely on the basis of 'exchange', the considerations and expectations raised by the student or scholar must be taken into consideration and good common sense must also prevail in final visa selection for the foreign national in order for the system to continue to work.

ADMINISTRATION OF THE EXCHANGE PROGRAM

The exchange visitor program, when it was created by passage of the Mutual Educational and Cultural Exchange Act in 1961, was placed under the administration of the bureau of cultural and educational affairs of the Department of State. It was a foreign relations program designed to foster international exchanges for educational and cultural purposes. It was headed by a chief, and had a small administrative and support staff. The chief was generally a foreign service officer on home assignment, and rotated every two years as one chief returned to a post overseas and another came on home assignment. Continuity was supplied by supporting staff members.

In 1970 a change in policy occurred, and a civil service officer was appointed to the position. The chief became a director to reflect this change, and for the first time some much needed leadership and direction could be established and maintained. There began to be much more interaction between the new director, Paul A. Cook (Tony), and the responsible officers of the individual programs. Tony Cook or members of his staff regularly attended national and regional meetings of the National Association for Foreign Student Affairs (a membership organization to which most if not all responsible officers of P-1 programs belong), and were easily available for consultation or discussion by individual responsible officers or their alternates.

Under the leadership of John Richardson, Jr., assistant secretary of state for educational and cultural affairs, the exchange visitor program changed, expanded, adapted and adjusted itself to meet every new challenge that came its way. Few substantive or regulatory changes have been made since its inception - they have not been necessary. It has proved to be an excellent program to promote and facilitate international educational and cultural exchanges.

In 1977 President Carter introduced his Reorganization Plan number two, which called for establishing a new agency incorporating the bureau of educational and cultural affairs of the Department of State and the U.S. Information Agency (USIA) (including the Voice of America) under one administration, headed by a director. Concern was expressed in many quarters that this merger was not in the best interests of international and cultural exchanges, but in 1978 the new International Communication Agency came into being. The name of the agency has subsequently reverted back to the U.S. Information Agency.

Several changes have taken place since that time, but the one most felt by responsible officers at the time was the well known Certificate of Eligibility changing from form DSP-66 to form IAP-66. Four part, color-coded, snap-out forms were introduced in 1975. Full implementation of a computerized system took place in 1981 under the new agency, requiring special coding to be used by institutions for almost every item on the form. This was to allow for computerization by USIA key punch operators, and code books with extensive code listings were distributed to all responsible officers. R.O.'s who did not fully complete the required coding often received letters from USIA requesting missing information and emphasizing its importance.

In the last several years other changes have also taken place. The waiver review branch of the exchange visitor program was made into a separate office from the facilitative services staff, with both offices eventually reporting directly to the agency's office of the general counsel. Several staff changes have taken place leaving gaps in continuity and a lack of knowledge of the early years of development of the program - a knowledge which is necessary when administering a program of the size, scope and importance of the exchange visitor program with strong foreign policy objectives to be taken into consideration.

Recent changes during the summer of 1988 have once more brought the waiver review branch and the facilitative services branch together with a newly appointed director to head the exchange

visitor program. Additions to the size of the staff have also been a very positive move. With international exchanges assuming an even more important role in such an increasingly interdependent world, it will be important for the facilitative services staff of the exchange visitor program to adapt and be flexible toward the ever-changing programs and priorities of the educational institutions of higher learning.

SUMMARY AND CONCLUSION

After 40 years of the Fulbright program and almost 30 years of the exchange visitor program, there is no doubt that this has proved to be an enormously successful means of achieving international educational and cultural interchanges. The original guidelines set down for the program have had the capacity to adapt to expansion and to changing educational trends over the years and have needed major alteration to do so.

Most of the thousands who have benefitted from the exchanges over the years have returned to their home countries, or countries of last permanent residence. Some have stayed or returned after at least a two-year period at home. Those who have stayed here have frequently experienced some change in circumstance during their sojourn in the United States, such as marriage to a U.S. citizen or permanent resident, political upheaval at home, or a major change in career plans. The fact that the exchange program allows for some inevitable fallout through the waiver provisions or by not imposing the two-year foreign residence requirement in all cases are probably reasons for the program's continued success for so many years. Without this flexibility the program would not have been so attractive to many who have taken advantage of it - the rigid requirements of the early years making the program unacceptable to many.

This paper makes some broad generalizations and has perhaps over-accented some of the changes, making them sound more far-reaching and dramatic than they in fact are. This has been done to highlight trends which have been occurring over the 30-year life-span of the exchange visitor program, and to point out that in educational institutions of higher learning traditional programs still exist, but change is taking place all the time and new programs and non-traditional programs attracting all types of students and scholars are a part of today's academic scene.

The exchange visitor program is certainly capable of handling increasing numbers and a variety of types of new programs. It can continue into the 1990's and beyond with little, if any, statutory or regulatory change. The parameters are broad enough, and the flexibility to adapt and absorb different types of programs exists within the framework of the current regulations.

The reason for writing this paper materialized when it became apparent that many people administering exchange visitor programs today, both in government and in the private sector, have little knowledge of the earlier years. Why the program was established, what was its original purpose, its uniqueness compared to other foreign student/scholar programs, and what has been its evolution is becoming lost in the mists of time. Not only should its history be recaptured and documented for posterity, but those in the field who are in decision-making positions should look to the past and to its history and use it in conjunction with present situations when shaping policy affecting international educational and cultural exchanges for the years ahead.

It is perhaps presumptuous to equate the exchange vistior program with the U.S. Constitution, but it appears that there are similiarities. The principles or guidelines contained in a thoughtful, insightful, well-written document can, with flexibility, be adapted to cover almost any situation which arises. It is necessary always to return to the original document for guidance before making

appropriate decisions in the context of the present on what appear to be new situations. A well-devised document needs little, if any, change due to the passage of years.

Before moving into the next decade, it would be desirable to have a reaffirmation of support for the original concept of the importance of international exchanges. For the continued success of the exchange visitor program, the importance of foreign policy considerations and international relations need to be reconfirmed by the new administration and by the Congress.

To ensure that the spirit and principles of purpose behind the international interchange or persons are kept alive, this message of renewed commitment should be conveyed by the administration and/or by the Congress to the agencies concerned with carrying out this mission.

APPENDIX A

FOREIGN MEDICAL GRADUATES

Although this paper is focused on the P-1 programs of educational institutions, research institutions and universities with medical schools or with affiliation to teaching hospitals have considerable interaction with foreign medical graduates.

If a foreign medical doctor is coming to the United States to teach or undertake research he/she could and should be sponsored by a college or university. If the foreign medical doctor were coming to the United States for a clinical program he/she would have been sponsored by the P-II hospital to which he/she had been accepted for an internship or residency. A clear cut, easy distinction to make, with a three-year maximum period of stay for researchers and a five* year maximum stay allowed for interns and residents. This turned out to be not quite such an easy separation as anticipated. By regulation, an exchange visitor is not permitted to change his/her original objective in coming to the United States. Equally, universities cannot sponsor foreign medical doctors for clinical training and hospitals, normally not defined as educational institutions, can not sponsor teachers or researchers. Change from a P-I program to a P-II program or vice versa was not normally permitted, but, in reality, many residents based in teaching hospitals would be given teaching or research assignments as part of their residency training.

Sometimes a change in title or a change in funding source would disqualify a foreign medical doctor from either hospital sponsorship or from university sponsorship (whichever one had brought the doctor to the United States) but would qualify him/her for sponsorship by the other. A year later another change in title or funding source might switch the doctor back to the original sponsorship. It was increasingly frustrating for administrators on all sides to deal with special applications on an individual basis and establish each time that in the general area of medical education these changes were a normal progression for a resident attached to a teaching hospital affiliated with a research institution.

A meeting hosted by Harvard University in Boston in 1967 attended by Paul Dwyer, the chief of the facilitative services staff and responsible for the exchange visitor program, gathered some of the leading physicians and surgeons of the day from many of Boston's hospitals. This meeting highlighted the difficulties being experienced at the time. These doctors, who held both hospital appointments and academic appointments at the university, were well versed in the exchange visitor program as many of the interns and residents in their departments were foreign nationals. They were all medical educators and, as such, were clearly able to explain that a well-rounded medical residency, especially in some fields, would include some teaching and/or some research and that this was in no way a change in objective on the part of the foreign doctor.

This particular difficulty finally resolved itself with the establishment of the Educational Commission for Foreign Medical Graduates in 1972. The commission was given a P-III program definition and became the sole sponsor for all foreign medical graduates entering the United States for medical internships and residencies. Provision is included in the program description for the commission to also sponsor foreign medical doctors for clinical and research fellowships.

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*With enactment of PL 94-484 a seven-year maximum was permitted for medical residencies requiring this period of time.

As earlier indicated, PL 94-484 had considerable impact on foreign medical doctors coming to the United States for graduate medical education and training. At first it was assumed that every foreign medical doctor was subject to these new conditions which would have had a major impact on medical schools and medical research facilities.

As a result of the outcry raised by the medical profession concerning the many new restrictive provisions placed on foreign medical graduates, a meeting hosted by Paul A. Cook, director of the facilitative services staff, was held at the Department of State in 1977. Attending this meeting were representatives from hospitals, medical associations, universities, medical schools, and research institutions. It was clear that the constituencies represented at this meeting had widely differing concerns and interests, all of which were freely expressed and discussed.

From the perspective of medical schools, research universities, and research institutions there was concern over those qualified medical doctors who had traditionally been coming to the U.S. to undertake short-term teaching assignments, or to participate in on-going research projects. It was felt that the restrictions were far too rigid to accommodate these types of exchanges, especially the new requirement of passing an examination equivalent to parts I and II of the National Board of Medical Examiners. It was felt by most representatives at the meeting that these doctors were not coming to the United States for graduate medical education and training and that such restrictions should not apply to this group.

At the end of the meeting (and this paper only addresses the concerns which affected P-I programs) it was agreed that teachers and researchers did not fall under the definition of foreign medical graduates, and that they were not coming to the United States for graduate medical education and training. Therefore the provisions of the statute did not apply to them. It was further agreed that a statement would be drawn up which defined the limitations of teachers and researchers being sponsored by P-1 exchange visitor programs. A statement was subsequently developed, and submitted to the Department of State for review. Now called the "dean's statement", this statement must be attached to every DSP-66 (IAP-66) issued for teachers and researchers holding an M.D. degree. It must be signed by a dean of a medical school or his or her designee and certifies five points limiting the foreign doctor's activities. These new provisions were published as amendments to the regulations on March 31, 1978 by the Department of State, and continue in effect today.